

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Brad A. Armstrong	Docket No.:	F2811
Serial No.:	10/773,025	Art Unit:	2629
Filed:	February 4, 2004	Examiner:	William Boddie
For:	Image Controller		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Applicant wishes to bring to the attention of the United States Patent and Trademark Office (“the *Office*”) the information noted on the enclosed forms PTO/SB/08A that may be considered to be material to the examination of the above-identified application.

This Information Disclosure Statement (IDS) is submitted after the period specified in 37 C.F.R. § 1.97(b), but before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application, and is accompanied by the fee set forth in § 1.17(p).

The documents and information contained in the attached Information Disclosure Statements come from the following sources:

Litigation involving related applications

As previously disclosed: in the case styled *Anascape, Ltd. v. Microsoft Corp., et al.*, filed in the United States District Court for the Eastern District of Texas, Lufkin Division (“District Court”) and assigned civil action number 9:06-CV-00158-RC, the plaintiff Anascape, Ltd.

(“Anascape”) asserted twelve patents against Microsoft Corporation (“Microsoft”) and Nintendo of America, Inc. (“Nintendo”). Anascape is also the assignee of the above-referenced pending patent application. The defendants were accused by Anascape of infringing twelve issued U.S. patents, which include patents that are related to the above-indicated pending patent application.

Prior to trial, Microsoft settled with Anascape and was removed from the litigation. A trial involving Nintendo took place in May 2008. Only one of the twelve asserted patents - U.S. Patent No. 6,906,700 (“the ‘700 patent’”) - was at issue in the trial. Nintendo was found to infringe the ‘700 patent at trial.

Nintendo subsequently filed an appeal with the United States Court of Appeals for the Federal Circuit (“CAFC”) where the case was restyled as *Anascape, Ltd. v. Nintendo of America, Inc.*, and assigned case number 2008-1500. The CAFC issued an opinion reversing the trial court decision. Copies of documents associated with the District Court case and the parties’ briefing before the CAFC have been identified in prior Information Disclosure Statements.

Anascape then petitioned for a rehearing *en banc* at the CAFC, which was denied. Anascape also filed a petition for writ of certiorari with the United States Supreme Court (assigned docket number 10-301), which was also denied. The briefs submitted by both parties to the Supreme Court are included in this Information Disclosure Statement.

Reexamination of patents asserted in the Litigation

Nintendo and Microsoft initiated reexamination proceedings individually against the twelve patents asserted in the District Court case identified above. The following table identifies the reexamination serial number and current status of each reexamination. Reexamination-related documents were submitted in prior Information Disclosure Statements. An updated list of documents associated with the reexaminations is included in the Information Disclosure

Statements filed herewith. Copies of these documents are not included as they are duplicative of references previously cited and/or are accessible to the Examiner via the United States Patent and Trademark Office's (USPTO) Patent Application Information Retrieval (PAIR) system.

Reexamination Serial Number	Requester/ Type	Reexamined Patent	Patent Serial Number	Current Status
90/008,490	Microsoft / Ex Parte	6,222,525	08/677,378	Reexamination terminated
95/000,221	Microsoft / Inter Parties	6,906,700	09/715,532	Reexamination terminated
95/000,224	Nintendo / Inter Parties	6,563,415	09/955,838	On Appeal to the Board of Patent Appeals and Interferences (BPAI)
95/000,230	Microsoft / Inter Parties	6,563,415	09/955,838	On Appeal to BPAI
90/008,379	Microsoft / Ex Parte	5,999,084	09/106,825	On Appeal to BPAI
90/008,373	Microsoft / Ex Parte	6,102,802	08/942,450	Final Rejection Issued
90/008,480	Microsoft / Ex Parte	6,135,886	09/122,269	Reexamination Certificate Issued
90/008,477	Microsoft / Ex Parte	6,208,271	09/148,806	Reexamination Certificate Issued
95/000,223	Microsoft / Inter Parties	6,343,991	09/510,572	Reexamination Certificate Issued
95/000,217	Nintendo / Inter Parties	6,344,791	09/599,095	On Appeal to BPAI
95/000,222	Microsoft / Inter Parties	6,344,791	09/599,095	On Appeal to BPAI
95/000,214	Microsoft / Inter Parties	6,347,997	09/568,662	Reexamination Certificate Issued
95/000,225	Nintendo / Inter Parties	6,351,205	09/455,821	On Appeal to BPAI
95/000,226	Microsoft / Inter Parties	6,351,205	09/455,821	On Appeal to BPAI
95/000,220	Microsoft / Inter Parties	6,400,303	09/815,898	Reexamination Certificate Issued

Pending Related Patent Applications

As noted in previous Information Disclosure Statements, a number of currently pending patent applications are related to the above-identified pending patent application. The following table identifies the serial number for pending related patent applications and gives the current status of each pending related patent application. Documents associated with these related pending applications were submitted in prior Information Disclosure Statements. An updated list of documents associated with these pending applications is included in the Information Disclosure Statements filed herewith. Copies of these documents are not included as they are accessible to the Examiner via the USPTO's PAIR system.

With one exception, these cases are assigned to Examiner William Boddie. Application serial number F30.1, assigned application serial number 11/150,412, is assigned to Examiner Cory Almeida within the same Art Unit.

Pending Application Serial Number	Attorney Docket Number	Current Status
11/241,617	F28.1	Abandoned
11/241,618	F28.2	Abandoned
11/240,331	F28.3	Appeal Brief Filed
11/240,326	F28.4	Abandoned
11/240,330	F28.5	Abandoned
11/240,329	F28.6	Abandoned
11/240,112	F28.7	Abandoned
11/240,158	F28.8	Abandoned
11/240,309	F28.9	Abandoned
11/240,374	F28.10	Abandoned
11/241,455	F28.11	Abandoned
11/240,327	F28.12	Appeal Brief Filed
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11/240,349	F28.14	Abandoned
11/241,478	F28.15	Abandoned
11/241,330	F28.16	Abandoned
12/030,025	F28.17	Abandoned

Pending Application Serial Number	Attorney Docket Number	Current Status
11/150,412	F30.1	Docketed to BPAI
10/773,025	F2811	Appeal Brief Filed
12/366,434	F2811C1	Abandoned

- this application

Respectfully submitted,

March 26, 2011
Date

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